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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,210	12/05/2001	Andrew M. Spencer	10014184-1	4151

7590 06/18/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

HESS, DANIEL A

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/002,210

Applicant(s)

SPENCER, ANDREW M.

Examiner

Daniel A Hess

Art Unit

2876

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____

THIEN M. LE
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because:

Firstly, the examiner disagrees with the applicant's suggestion that the final rejection was premature. While the examiner improperly and accidentally made mention of another reference, Gee, in the second action, this reference was not included in the rejection. The applicant even noted in the 5/29 response (page 3), "Applicant notes that the disclosure of Gee is not discussed in the rejection of the claims

The crux of the applicant's argument in the 5/29 response is that Nelson fails to show switching of data lines between different inputs, namely wired and wireless channels.

The examiner's case has been and remains that Nelson implies that some kind of switching takes place.

In the second action, the examiner stated (response to arguments) 7. "The examiner stresses that in teaching a PCMCIA card Nelson shows a [singular] device, namely a PCMCIA card, with two interfaces, one wired and one wireless. The interfaces are just two separate channels into a single device. Therefore switching between these two channels would be expected."

The only way to avoid switching of data lines would be if there were two separate and parallel systems on the memory card, each with its own processor and its own memory. Absent this, data must 'line up' and be serialized, which involves switching. Nelson clearly shows just one microprocessor (column 4, lines 35-45), indicating serialization, of data streams and therefore switching.

The examiner has no reason to believe that Nelson teaches any more than a single set of the 'main card components' - i.e. memory and processor - as opposed to interfaces, of which a plurality are present. Further, the applicant has failed to cast any doubt that Nelson has a single set of the 'main card components.'

As to the communication of each interface with a memory, if the card is truly a memory card, as it is as applied in claim 1, the true purpose of the card is for data storage, so any meaningful communication channel would necessarily link to memory. A communication channel to a memory card that doesn't even access the memory cannot allow the memory card to serve its purpose, except in conjunction with another channel that does access the memory. But in Nelson, the channels operate independently.